

SENATE BILL 1313

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 50, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "School" means a:

- (A) Church-related school, as defined in § 49-50-801;
- (B) Home school, as defined in § 49-6-3050;
- (C) Private school, as defined in § 49-6-3001(c)(3)(A)(iii); or
- (D) Public school, as defined in § 49-6-3001(c)(3)(B); and

(2) "Student" means a person enrolled in a school.

(b) A school shall not:

(1) Force or coerce:

- (A) A student to receive an immunization for COVID-19; or
- (B) A student's parent or guardian to immunize the parent's or

guardian's student against COVID-19;

(2) Require a student to receive an immunization for COVID-19 in order
for the student to attend the public school or nonpublic school; or

(3) Take adverse action against a student:

- (A) Who refuses to receive an immunization for COVID-19; or
- (B) Whose parent or guardian refuses to immunize the parent's or

guardian's student against COVID-19.

(c) A school shall not immunize a student against COVID-19 unless:

(1) The student has attained eighteen (18) years of age, or has otherwise been emancipated, and consents in writing to the immunization; or

(2) The student's parent or guardian consents in writing for the parent's or guardian's student to be immunized against COVID-19, if the student has not attained eighteen (18) years of age, or has not otherwise been emancipated.

(d) This section does not prohibit:

(1) A student from receiving an immunization for COVID-19; or

(2) A parent or guardian from having the parent's or guardian's student immunized against COVID-19.

(e) A school that violates any provision of this section is subject to a civil penalty for each violation, to be imposed by a court of competent jurisdiction. A civil action may be filed pursuant to this subsection (e) against a school or the school's local education agency, as applicable, by a student or by the student's parent or guardian.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.